

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12490 of 2023

Arising Out of PS. Case No.-395 Year-2022 Thana- KANTI District- Muzaffarpur

Md. Sakim Son Of Md. Sarif R/O Village- Kaparpura, P.S.- Kanti, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 406, 420, of the Indian Penal Code and later on Sections 395 and 412 of the Indian Penal Code were also added.

As per prosecution case, informant alleged that poultry feed was sent thorough Bolero Pickup bearing Reg. No. BR06-GD-9430 with its driver but before the Kanti over bridge the poultry feed was disappeared along with pickup van but later on van recovered but poultry feed amounting Rs. 1.50 lacs were missing. After that this case has been lodged.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of co-accused. Neither petitioner is named in the FIR nor anything has been recovered from his conscious possession. It is further submitted that not a single witness stated about the complicity of the petitioner in this alleged occurrence. Moreover, the petitioner is languishing in judicial custody since 29.09.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kanti P.S. Case No. 395 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Muzaffarpur.

(Sunil Kumar Panwar, J)

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